Our constitution has declared that "evthe petitioner upon the circuit judge of Warren county, as set forth in the petition character; by whon passed through the

for the latter otheres. The effect of the executive pardon upon a private property in a part of the penalty, continue this the land of liberty, and the the king cannot pardon the offence. Bla. Com. 4, 398. But among pardonable offences is that of contempts of courts. In c, 39, which has before been claimed to in the purity of the principles of Equal have been the origin of the doctrine of Rights and popular government. In the constructive contempts, in speaking of the imprisonment of those who resist sheriffs, occur these words, -- "a qua non deliberentur sine speciali precepto domini regis," tic principle, having for a time been over--from which imprisonment, they shall whelmed by arts and misrepresentations, not be released, but by the special com- has gathered energy to throw off the mand of our lord, the king. It is moreover elsewhere said, that a pardon for all mispricious, frespasses, offences or contempt in making a false return, and a striking guiding star of our nation, and the hope of "most admired disorder." in Westminster Hall, and barratry and humanity." even a premunire. Jacobs I., D. Pardon. 2 Hales P. C. 252, 2 Mod. 52, Dyer 203, a. The constitution of the State, art. 5, s 10, bestows upon the governor of the state "the power to grant reprieves to defeat the future wiles and machinaand pardons, and to remit fines in all tions of the class who are to reap the becriminal and penal cases, except in those of treason and impeachment." But it has been insisted by counsel that contempts of court do not come under the tachment which issues upon the informa- rable means to perpetuate the ascendancy tion of a contempt is a criminal process. Tidd. p. 1, 401. Bla. Com. 4, 231, calls the offence "a criminal charge." "A crime or mi-dominanor is an act committed or emitted, in violation of a public law, either for idding or commanding it." Bla. C m. 4, 5. The distinction of pubhe wrongs from private, of crimes and misdemeanors from civil injuries, seems principally to consist in this: that private wrongs or civil injuries are an infringebelong to individuals, considered merely the citizen, compatible with the organic deluded by the most infamous system of as individuals, public wrongs or crimes law," and the most simple government fraud and misrepresentation into self-beand mistlemenners are a breach and violation of public rights and duties, due to the whole community, considered as a ty. Bla. Com. 4, 6. Contempts of courts are troated by all elementary writers as public wrongs. They are distinguished from ordinary crimes or misdeparty being acquited or condemned by the suffrage of such persons only as the statute has appointed for his judge. Bla. wrong to the public, not to the person of the functionary to whom it is offered, conconsidered merely as an individual. It

inge, without it, they must cease to exist. am brought to the belief that the petition- the nominees being orthodox in their poer is held in custody by unlawful authori- litical faith. dered and decreed.

effences from interrupting their proceed-

doning power of this State. But, say the

counsel, there are certain courts which

Paississippi Democrat.

F. C. JONES, EDITOR.

CARROLLTON:

INTRODUCTORY.

We issue to-day the first number of the MISSISSIPPI DEMOCRAT, which we offer to our political friends in this section of the State as an organ and advocate of their

The time may be deemed by some inthat a wise providence has bestowed upon auspicious for the establishment of a political newspaper-so soon after the termination of one of the most violent and detial motte, it becomes the most terrible cisive contests which has marked the anweapon of death. But who would argue, hals of the Union. To this we answer because disease may float in the atmost that there is now but the more need for a phere, that the atmosphere should be des- vigilant and independent press-not to fan the flame of discord, and arouse anew the ery citizen may ficely speak, write and excitement so happily allayed by the verpublish his s numeris on all subjects, be- diet of the bellot-box, but to scan with a the responsible for the abuse of that liber- rigid scrutiny the conduct of those who fill ty." Art. I, sec. 6. The reflections of public stations, and to arraigo at the bar of public opinion the chesen executors complained of, when judged by the prac. of the popular will, for every derilection tice and assumpti as of the English and from duty. Other contests, too, as imporsome of the American courts, constitute tant as that which has terminated, will an undoubted contempt of an aggravated arise hereafter. Already the defeated federalism, amounting to the same distrust cruerble of our State constitution, instead party has thrown off the flimsy veil which of the people, and hostility to popular goof a contempt of court, they become a disguised their vindictive malice towards mere lib | on the westerness, and subject a portion of our population-the large | work, and by the tyrannical exercise of hardly be referred to an overrolling Provionly to the punishment prescribed by law class who have sought among us an asy-Jum from the oppression and tyranuv of the sentence of accourt for a contempt is the privileged robbers of other countries;the only remaining question of this inter. already have they formed an alliance with e-ting investigation. The power to par- a faction who seek to fix the exercise of don it, by English writers, silved the most the rights of liberty by the accident of amuable over pative of the crown. Bla. birth, and to light the torch of religious with the List momerials of the law. In bigotry and persecution in this free counits at at at a reached to all offenses against try. If so they will it, the Democratic party ent reign of the hard-cider Congress, in the crown or the public. Bla. Com 4, is prepared to meet them on this issue, engrafting their system of privileged plan- in government. How unhappily but con- tive parton, and respect the according to the accor 194. It for not reach to cases where as did their fathers in the days of Mr. Jefprivate in-tile is connected with the prosection of offenders:—non poset rew gramam facere cum injuria et damno ali. the present naturalization laws, or to orum." 4 last 286. Thus in penal abridge the privilege of becoming citizens statues, where the informer has acquired and holding property among us, and to and which they contributed so lavishly in opponents armed only with high principles, bigury, corregion, and to and which they contributed so lavishly in

> home of the oppressed of all nations. words of an accomplished and eloquent champion of the cause-" The Democraweight that bore it down: IT HAS RISEN ONCE MORE IN ITS MAJESTY, to be the

To ensure the fruits of this victory organs, thus announced the final result: to hold the recipients of the people's favor to a rigid accountability-to assist nefit of partial legislation and special pri- not worn on the hat or the left arm-it is fatuation?" vileges through the medium of Banking, not exhibited in vain forms. It is told in Funding, restrictive Tariff, or other moclass of criminal or penal cases. The at- nopolozing systems-and to use all honoof the principles of his party-is now the did, when the battle of Canne was lost duty of every democrat. To these pur- The women are in tears as for a great caposes we pledge ourself as the conductor lamity, as if Hannibal was at the gates;

a democratic press. We have borrowed our motto-

" That government is best which governs least," from a periodical the pride and boast, and vote, a stern and tuneral silence, broken valedictory message in a few days. We an honor to the literature, of the Ameri- only here and there in the throng, by a can Democracy. In illustration of this, ment or privation of the civil rights which | we shall defend "the broadest liberty of which will secure public safety.

Essential to the success of our institucommunity in its social aggregate capaci- tions, and to the progress of our principles is the establishment of a system of Free Schools. To effect this, we offer a zea- falsehood as ever disgraced an age of cilous co-operation with the press of the meanors, because in their punishment State. It is much to the discredit of this there is no intervention of a jury, the favored section of the Union, that we have no successful system of public instruction, and the press of both political parties, can-Com. 4,579, title, summary conviction. not be engaged in a more profitable ser-In short, the whole doctrine of contempts vice than that of arousing our people to goes to the point that the effense is a the importance of placing the acquisition

of knowledge within the reach of all. We believe that the creation of public follows then, that the contempts of court debt for purposes other than the general are either crimes or medemeaners in pro- defence, or to defray the actual expenses portion to the aggravation of the offence, of government, is beyond the power of the and as such, are included within the par- constituted authorities, at war with the spirit of our institutions, calculated in the have only civil jurisdiction, and yet those end to reduce the people to vassalagecourts have the power to punish for con- and we shall oppose all laws to levy tempts, therefore a contempt is not a crim- taxes to pay the principal or interest of inal offence. This conclusion is a non (so called) debts heretofore contracted in The statement of the case shows that to violation of the Constitution and laws of

the cay i jurisdiction of the courts alluded the State. Believing union and concession necesto a sofficiency of criminal jurisprudence is als mosessarily attached for restraining sary to party organization, we shall support such nominees as may be designated by Are all the foregoing considerations, I a majority of the party in convention-

tv, and that he is clearly entitled to his The paper will not be entirely devoted discharge therefrom, -- which is therefore to the discussion of political subjects. --We shall have an eye to other matters even pretends that he has an equal-but session.

nished, with a chronicle of passing events, and other matters within the sphere of a newspaper.

THE DEMOCRAT will be published weekly, at THREE DOLLARS a year, payable in

To meet the arrangement of the on Wednesdays of each week.

WHAT THE WHICS SAY OF THE PEOPLE AFTER THE ELECTION-GROANS OF THE DYING.

Extravagant boasting of certain success was a trump card of whitery during the late canvass, and the overwhelming defeat which they received at the hands of the people, seems to have much disturbed the quanimity of " all the intelligence, patriofism, and talent" of the land. Curses loud and deep are uttered against the large this disastrous rout of the forces of whigery, but all, true to the ancient instincts of vernment. The panie-makers are busy at successful opponents. The decision can beel was noticed and recommend upon with quest American measure. sections of the Union, the attempt is made | majority of the people, which is commonto force the refractory masses, at some future election, into obedience, and a quiet submission to the wishes and designs of those who arrogantly consider themselves born to "ride them legitimately by the grace of God." The rapacious capitalists who partially succeeded during the transider upon the policy of the government, clusively has it not established the tremen- the enjoyment of their liberty. The large, the canvass, should have proved of no ples and patriotic purposes. avail in so direful a crisis. Like ravenous The result of the recent election has wolves, who have lapped the warm bload the statute of Westm. 2, 13. Edward 1, inspired the Democracy with renewed faith of their victim, they are frantic with rage at the certainty of being driven from their repast !-and it is but natural they should growl as they retreat from the victorious hosts of the democracy. The army of hungry office-seeking whigs scattered over the Union, (so graphically described by Dr. Duncan,) not a fithe of whom were served in 1840, are maddened at the result, and predict dire calamities to the country. Indeed, the entire camp of whiggery is in

The Richmond Whig, one of the leading

the countenances of the people; in the gloom which overspreads nearly every countenance which is lighted up by intelligence! Our Rome mourns as old Rome and the very children look desolate and

announced the result of the New York and we may expect to receive Mr. Tyler's applied." boy or an excited partizen, was observed by the immense multitude. The whigs felt that the country had been cheated and trayal, and the Democrats present were ashamed, we verily believe, of the candidate they had elected, and the cause which

following manner;

sour?"-Is it asked why we do feel so me- is to be hoped wift be neted on, is a reduc- this in the face of the statute which limits lancholy a depression at the result of the tion of postage, or the adaptation of the the fire to one handred dellars, and the pictors result. Mr. F. replied, joined in late great struggle? We answer frankly rates to the Federal currency. and promptly it is at the popular spirit which the contest has revealed; it is because a majority, or a claimed majority, of the American people have manifested so irreconcilable a hatred to the man who has best deserved of them, next to Washington undoubtedly, in real and substantial service: It is because Henry Clay has been voted against, not for his opinionsnot for his principles-but because he was Henry Clay, the first in service, the first in renown! It is because our countrymen, in their verdict, have clearly and unequivocally exhibited that base and unworthy indispensable to all who desire accurate defended? What plea or precedent will United States. envy of excellence—that disposition to reports of the debates in Congress, and im- pursuing the victims of her Dr. Laure Smar, of Warranton pall down what is better than themselves, and to put up what is inferior-the spirit of that Athenian who voted to banish Aristides because he was not only called but ted Clerk of the Superior Court of Chancewas the just-which has been the destructry at Jackson, in place of R L. Dixon. tion of all Republics! Henry Clay has been defeated, Nor because he was not

"This is the point of view which will present itself to the informed mind, instructed by the past experience of the world as the most important and the most prisonment, imposed to Judge Couler, on cal rights of the cities, will be guided rafatal," * "It is the incapacity to judge an alledged "convempt" of cours. The de- there by our own liberal baselessian, then and to act wisely: It is the harred of pre- cision also embrues a bis application of Jens by the corrupt precedents of the tarbarous eminent merit: it is the preference by Lavers, publisher of the same paper. The ages of a mountely, congenial littleness and ignobility: It is cases have excited great integes, and the Ludge Tracum rightly merits the gratithe spirit to pull down instead of the spir- decision of the Judge, apart how the able unde and approval of his constituents and mails, our paper will hereafter be issued rit of clevating superior merit, which to legal argument it contains, will be found countrymen, and well deserves the appoint the mind acquainted with the transactions a most mumphant vindication of the Rights fation of Defender of the Constitution. of past Republics, is not merely hateful of the People under our excellent popular

And the National Intelligencer, the head gress of our free institutions. and front of all that is "dignified" and "respectable" among whig newspapers, ereise of the judicial act of treanny which reat, and which formed the most distincexpresses its matured opinion of the result, the decision is intended to area, were as tive ground of difference between the two

"Wholly unexpected, the event took bill was found against D. W. Adams, for intelgrees of whigery, and the democratic us completely by surprise. Not even for the murder of the lamented Dr. Hagain .- party mer the issue in all everious of the a moment apprehended, the blow came upon us with a staggering force.

"That the judgment which has been majority of the people who gave the final rendered is not that of the intelligence of a charge of management. The Discourt wed, beyond the possibility of a doubt, that blow to the foundering fortunes of the great | the country, no one will, we presume, be Attorney twice moved the last the measure may now be trought forward. Embodiment" of modern whigery. A hardy enough to deny. Neither, we sup- usual process issue against higher which under the combiness sanction of the prohundred different causes are assigned for pose, can any doubt be reasonably enter- was refused, and the atread, charged pie's will. We doubt not that but for the tained that far the larger portion of the with the highest crime known to the laws, malversation of Senatur Benton, and the educated and informed people of the land suffered to go at large. So tan is itvoted for Clay and Frelinghuyson, and much the larger portion of those neither And the strong beam of justice tomains breaks," party, a far greater majority of the educated nor well-informed vote I for their The conduct of the presiding judge (Cont. would have given their senetion in this the power of associated wealth in some | dence; for it is not the voice even of the ly (but impiously) said to be the voice of God. If any event fraught with conse, sentenced by this tyrannous functionary, the measure to a successful result, and quences so possibly momentous to mil- without the formality of told granted to receive the long star to its place in par conions of men can be properly attributed to every man, in an extent of punishment without ACCIDENT, such surely is that which we not warranted by law, arouning them gustare now speaking of."

The Intelligeneer goes on to say :

their boasted knowledge of what is good rens, immediately interposed the Execustand aghast at the prospect of losing the | dous power which mere jugglers and mounounty they levy on labor, and are struck tebanks exercise in the field of politics with astonishment that the influence of no- over unthinking and uneducated masses ney, which they considered omnipotent, of men, while they have to encounter precedents to be from I in that warm of in the

ginated the log-cabin and hard-eider mum- set at defiance the Executive presecutive

But the New York Commercial, the organ. of the "cod-fish and colorie" aristogratic manded his victims to prisen. The case division of the "decency," cape the climax That came before Judge Thather, and ellof abuse in the following extract. After cited the decision which we publish, and enumerating the multimake of good [of the] for which we howest an amount persent. two-dollar-a-day-and-court-heef order.) in A majority of the people of Restorage store for the people in the event whigery have on more than one occasion shown tod successfed, he says:

"But all in vain. The now ther was just the copresse law of the Steam. The washed returned to her wallowing in the learned and accomplished author of the mire; and the people who have been saved decision we polled, thus deliase the strucfrom national dishonor and national bank- ture of our Suce government; ruptcy, from a deranged currency, a prostrated commerce, unemployed manufac-"Defeat of Mr. Clay, and Election | tories, an idle and vagabond population, OF MR. Polk!-This result, so contrary and universal distress and misery-have Constitution, we law, the Source and to all human expectation, and so revolting returned, BRUTE LIKE, to their wallowing Representatives being the legislates. to all sense of propriety, has clothed this in the mire and fifth of locofocoism; and community in mourning. The badge is why should any man mourn over their in- it is guaranteed that " Every cities may

The whig papers teem with such articles as we have quoted, and with the most unqualified abuse of "vagabond fereigners, -of all, native or adopted, who refused to sanction their odious schemes of partial legislation and British policy. Let them be remembered. "Forewarned, forearmed."

CONGRESS

"When the cars on Saturday arrived and Has been in session for two weeks pass, will publish it in our next.

The prominent topic of the session will be the annexation of Texas. It will be remembered that after the rejection of the treaty by the Senate, the papers, corresting, either in the presence or hearing of Monroe-4th Mondays after 4th Mondays pondence, &c. relating to the subject were | such Court : Provided, that such fine shall sent in to the House, with a mussage, re. | not exceed one hundred dollars, and no Carrol-2d Mond. May and Novem -- 22. commending that the measure be effected owed all its success to as extended and by joint resolution. The matter was referunblushing and persevering a scheme of red to the committee on Foreign Relations, shall have been committee." and at the adjournment left among the unfinished business. From the unsettled as- stitution, and the administrator of the sta-Dissatisfied with such incoherent and pect of affairs in Mexico, and the total tutes, Judge Coaltre, on an alledged comvague assertions of " fraud," and " false- failure of that country to prosecute the tempt, commetted not within "the prosecute good," this same favorite organ of whige- talked-of invasion, we shall not be surpris- and hearing of the event," but through the ry the next day proceeds to account for ed if the annexation is consummated dur- columns of a new york in the columns of a new york the overthrow of the " embodiment," in the ling this session-certainly at an early pe- of the hundred dellars, the months ingenriod of the next session.

6.7 What friend at New Orleans will furnish us with an occasional letter for publication in the Democrat ! Send to our address by any boat for Williams's Landing, Yazoo river, to care of our obliging friends, Wright & Wheelis.

ten times the amount of subscription, and nical use of the authority of his station be for President and Vice President of the portant public documents, for preservation. official malice, after they had been about elected, on the 15th ballet, as better of

Roment Houses, Esq: has been appoint- ed by the Executive parties?

worthy to lead his countrymen, for no man gress as Senator from Michigan, at the next crowded, and a sentent of editors tyranger man H. Beaton and D. R. Anchored. Sena-

Tuactics, on the application of Copy, Wan- tie Republican instruments - who reterence TER Electry, lare editor of the Vickebury the great principles of Popular Liberty. Sentines, for a discharge frem fee and tu- and who, in decision invalving the politifor its meanness, but fearful for its omen." Constitution, and as illustrating the pro-

and of a majority of the American people, follows: At a been of the Warren Ch and parties, was the restoration of Texas to the Court, some twelve months since, a true Union. On this hings turned most of the He had previously been admined to tail, Union, on the ground assumed by the Conin a small sum, by a magistree's queer, on vention at Baltimore. The result has pro-

" Plate o's with soid.

merited severity in the columns of the Sen- Cal. Pets: will come into office played tinel. Lavins fro, and Holey afterwards, in favor of immediate appraisings and were arraigned at the hat tithe quart, and there is no reason to doubt that he will bring ty of the erime charged. The Garagner of the State, upon the representation of "What contempt does it not east upon this art of tyraniny over the risks of aidin a spirit of reckless unupyrion, unearpassed even muony the nellion-and-one accumulated by venal judges at the beck How apprepriate for the party which ari. of corrupt monaccies, "the common law," meries of 1840, and the glee-clubs of 1844; -treated the Governor as committing at the escape of a convicted criminal-and re-

a readingest to vindicate the Constitution

"The Constructor is law, the people having been the legislature; and the sixtutes of the Stair, emisted pursuint in the

By the bill of rights of the Commission freely speak, units, and publish his sounments on all solvers, being responsible for the abuse of that library." If the against in the Sentine was false and libelines, the aggricered judge half this same recourse granted to other to wrenged. In art. 1, sec. 21, of the State Constitution, it is pepwided that "No porson shall be punished but in virtue of a law established and promulgated prior to the officare, and legally

quoted in the decision, as follows: "The Cours shall have power to line and imprison may preson who may be guil- Loweste-3d Mond. after 4th Mond. Mar. ty of a contempt of the court, while sixperson, for such concempt, shall be impriconed for a longer period their during the term of the court at which the court

And acting as the creature of the Can soment, aye, imprisonment for an inded- parency, to the residence of Mr. Freling-"WHY ART THOU CAST DOWN, O MY Among the important measures which it nite term until the fine shall be pull-and buyers, and through their chosen erator, imprisonment to the duration of the term dutice of the high station to which he had of the court? And when the Governor interpones by the extucise of an understood prerogative granted as a maleguard to the rights of the people, the Judge, in full tousummation of his official turpitude, rocklessly disregards the Executive authority. and consigns American citizens to a datapectus of these invaluable works, worth grounds can such an arismary and tyran- for James K. Polk and George M. Dallan

We spelt smeed that an appeal has been taken to the beach of the High Court. If established. We agree with a "Farmer of new from Museum-

calculated to instruct or interest; and articles, original and selected, in Agriculation Spinore Literature Are will be fur-

ANNEXATION OF TEXAS.

Of all the great issues discussed in the The circumstances which isd to the ex- late catevass, that which elicited most inteunfortunate position assumed by one or two others of the intellectual ginning the

SUDICIAL BISTRICES.

We have braid some sequiry in telepion. to the new organization of the Judical distriers, under the art passed at the list seefort when and after the next general siegsion,"-alminist the existing Dis. Dis. 10th, and 11th division, and division the State date severa Circuit Conet direjem, sa

Fort District. Advers Jefficzenz, Ch. of the Second District. Copiale DOM: NO THE OWNER, Similify.

Districts. LAWTYDES, Marien, Kunkin, Hapreck, STREET Sungaga. Phint District.

E WHITE, Washington ! Coultman, Wasten Distance. H-St. langur. Warne, Newton. Carke Гасклат, Lundredsin

Janes. ficecia, E KHOO, Calleen,

Holmins, Stain, Stark District. Manroe, a miscresion a Tallalistekits. Lawnites,

Okalhūchia. Carrolly Chartaw, Chickensum. Several District. DiSetts, ltawamba, Murshall, Puntener, Elgenh. Lalky cure,

Tiebemingo. Panula. The Courts in the Sixth district are to be held as fillness:

Tallahatchir-3d Mandays February and Argust-S days.

Contempt of Court is defined, and the Falabake-4th Mond. Feb. and Aug -- 12. punishment prescribed, in the emputes Checker-Di Mond, March and Sept.-12. Chickware-4th Mond. Mar. and Sept-12. thible he -- let Mond. after 4th Mond. Mar. and Sept -4 days.

and Sept -- 12 days. of March and September-12 days.

Our whig friends called the menigation of Polk and Dallas a good joby. The New York papers relate a much better roke .--When returns from a portion of that State had been received in the city, the whige, canguine souls, were confident of bawley extried the State, and raised a repairing. A dreds, proceeded with torchlight and transoffered a congratulatory speech an the aus-

their jay, and promised to discharge the

hern elected, to the heat of his ability .--Next morning's test brought complete recarns, much to the discounter of the good man, who played the Vice President for By Tex Electrical College of Mississippi Congressional Gloss and Affender .- good, without the shadaw of law, right, met at Jackson on Wednesday, this stan In another column will be found the pros- or justice, in extensition? Upon what and cass the six electoral votes of the State

official vets to the Federal city-

U. S. SENATURE.-Chrony Ashley has the conduct of Judge Crabre be establish- been ejected Senator from Arkantin. in It is said that Gen'l Cass will enter Con- ed as procedent, our jain may soon by place of Gov. Fulno, decreased; and The-